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May 13, 2024

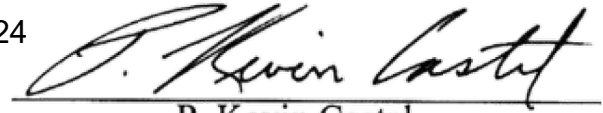
Via ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Initial conference is adjourned from May 17, 2024 to
June 28, 2024 at 12:00 p.m. Dial-In No.: 1-888-363-4749,
Access Code: 3667981.

SO ORDERED.

Dated: 5/13/2024


P. Kevin Castel
United States District Judge

Re: *Multisuma Investment Corp. et al v. The Bolivarian Republic of Venezuela*
Case No. 23-cv-09670

Dear Judge Castel:

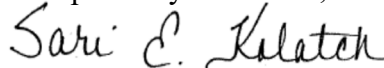
We represent plaintiffs Multisuma Investment Corp. and Cen Xijiao Siem Wu (collectively, “Plaintiffs”) in the above-referenced case. The initial pre-trial conference is scheduled for Friday May 17, 2024.

As Your Honor may recall, on December 19, 2023, the Court approved Plaintiffs’ request to serve defendant The Bolivarian Republic of Venezuela (“Defendant”) via diplomatic channels pursuant to 28 U.S.C. § 1608(a)(4).

Jared Hess of the U.S. Department of State has confirmed that the summons, complaint, and related documents were delivered to Defendant via diplomatic channels on April 15, 2024. A copy of the diplomatic note is attached. Mr. Hess informed me that these documents have recently been sent to the Clerk of the Court.¹

Because the Defendant is a foreign state, it has 60 days to respond to the Complaint. Accordingly, we respectfully request that the Court adjourn the initial pre-trial conference to provide Defendant an opportunity to appear and respond to the Complaint.

Respectfully submitted,



Sari E. Kolatch

¹ Although the diplomatic note is dated March 7, 2024, according to the enclosed cover letter, the documents were not delivered until April 15, 2024. Similarly, while letter to the Clerk is dated April 17, 2024, Mr. Hess informed me that it was not mailed to the Clerk until last week.



United States Department of State

Washington, D.C. 20520

April 17, 2024

Ruby J. Krajick
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: *Multisuma Investment Corp, et al. v. The Bolivarian Republic of Venezuela*, 1:23-cv-09670-PKC

Dear Ms. Krajick:

I am writing regarding the Court's request pursuant to 28 U.S.C. Sections 1608(a)(4) for transmittal of a Summons, Complaint, Civil Cover Sheet, Rule 7.1 Corporate Disclosure Statement, and Notice of Suit to the Bolivarian Republic of Venezuela as a defendant in the above referenced lawsuit.

The documents were delivered in Washington, DC under cover of U.S. Department of State diplomatic note to the Presidential Commissioner for Foreign Relations of the Bolivarian Republic of Venezuela, an accredited representative put forward by the National Assembly to represent the Bolivarian Republic of Venezuela to the United States. The diplomatic note was dated March 7, 2024, and delivered on April 15, 2024. A certified copy of the diplomatic note is enclosed.*

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Hess", written over a light blue circular stamp.

Jared N. Hess
Attorney Adviser
Office of the Legal Adviser
L/CA/POG/GC

* Please note that performance by the Department of State of its statutory functions under 28 U.S.C. § 1608 should not be construed as an indication in any way of the United States' position or views on whether plaintiffs have properly complied with all statutory requirements of the FSIA, the status or character of a defendant, whether service was properly effected, or the merits of any claims or defenses. *See* <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/international-judicial-assistance/Service-of-Process/Foreign-Sovereign-Immunities-Act.html>.

Cc: Sari E. Kolatch
Cohen Tauber Spievack & Wagner P.C.
420 Lexington Avenue, Suite 2400
New York, New York 10170



United States Department of State

Washington, D.C. 20520

CERTIFICATION OF DIPLOMATIC NOTE

I, Elizabeth Gracon, Managing Director of the Directorate of Overseas Citizens Services, in Washington, DC certify that this is a true copy of the United States Department of State diplomatic note dated March 7, 2024, and delivered to the Presidential Commissioner for Foreign Relations of the Bolivarian Republic of Venezuela in Washington, DC on April 15, 2024.

A handwritten signature in black ink, appearing to read 'Elizabeth Gracon', followed by a horizontal line.

Elizabeth Gracon, Managing Director
Directorate of Overseas Citizens Services

April 17, 2024

The Department of State refers the Presidential Commissioner for Foreign Relations of the Bolivarian Republic of Venezuela to the lawsuit *Multisuma Investment Corp, et al. v. The Bolivarian Republic of Venezuela*, 1:23-cv-09670-PKC, which is pending in the U.S. District Court for the Southern District of New York. The Bolivarian Republic of Venezuela is a defendant in the case. The Department transmits a Summons, Complaint, Civil Cover Sheet, Rule 7.1 Corporate Disclosure Statement herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Bolivarian Republic of Venezuela as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law, a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days from the date of transmittal of the Complaint, in this case, the date of this note. In

failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Department requests the enclosed Summons, Complaint, Civil Cover Sheet, and Rule 7.1 Corporate Disclosure Statement be forwarded to the appropriate authority of the Bolivarian Republic of Venezuela with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons, Complaint, Civil Cover Sheet, and Rule 7.1 Corporate Disclosure Statement, the Department is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign states.

Under U.S. law, any jurisdictional or other defense, including claims of sovereign immunity, must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the Department to be available to discuss the requirements of U.S. law with counsel. The U.S. government is not a party to this case and cannot represent other parties in this matter.

Enclosures:

As stated.

Department of State,

Washington, March 7, 2024.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal stroke.